

REMARKS

Favorable reconsideration and allowance of this application are requested.

1. Discussion of Claim Amendments

By way of the claim amendments above, claim 1 has been revised so as to clarify the presently claimed invention. Specifically, claim 1 has been amended so as to emphasize that the precursor is of indefinite length containing at least one strand comprised of a spun yarn of polyolefin staple fibers, as supported by page 2, lines 31-32 (*"A precursor is herein understood to be an article of indefinite length that contains at least one strand or polyolefin fibres."*) and at page 2, lines 8-9 (*"...the strand is a spun yarn made from polyolefin staple fibers."*) The amendments to claim 1 also clarify that the outer surface layers of the adjacent polyolefin fibers are at least partly fused to one another, support being found at page 3, line 25 (*"...the outer surface layer of fibres is at last partly fused...."*)

Pending claim 11 has also been amended so as to ensure compliance with 35 USC §101. In this regard, claim 11 is now directed toward a fishing line comprised of a monofilament-like product made by claim 1. Claim 12 is new and defines the other product originally defined in claim 11, namely a cut-resistant article.

Claim 10 has been amended so as to be more affirmative with respect to the process, that is by replacing is prospective word "obtainable" with a more definitive word "obtained".

It is suggested that the product-by-process format of claims 10-12 now present such claims in a form to be examined along with claims 1-9. Rejoinder of such claims is therefore solicited.

Therefore, following entry of this amendment claims 1-12 will be pending herein for which favorable reconsideration and allowance are solicited.

2. Response to 35 USC §103(a) Rejections

Claims 1-3 and 5-9 attracted a rejection under 35 USC §103(a) as being allegedly unpatentable over Cook (USP 6,148,597) in view of GB '432 (GB 2,28,432). Claim 4 attracted a separate rejection under this same statutory provision as allegedly unpatentable over Cook and GB '432 and further in view of JP '646 (JP 87015646). Applicants suggest however that none of the applied references of record are appropriate against the claims pending herein for consideration.

It is true that Cook discloses a process for making fishing lines by subjecting a braided or twisted monofilament, gel-spun polyolefin yarn to melt-fusion. As observed by the Examiner, Cook does not suggest at all that staple fibers may be employed in the process. In order to cure this deficiency, GB '432 is applied in combination with Cook to show the alleged obviousness of the present claims. Applicants respectfully disagree with such interpretation, however. Specifically, Applicants respectfully disagree with the Examiner's assertion that "GB '432 teaches that monofilament like products [are obtained] by heating and drawing a collection of fibers...formed from a collection of staple fibers." (Official Action at page 2, lines 12-13 of para. 3.)

Specifically, GB '432 most certainly does *not* disclose a "fusion" method – that is a method whereby at least the outer surface layers of adjacent fibers are fused to one another. Instead, GB '432 discloses a process for producing an impregnated coated yarn structure comprising drawing a carded roving containing two varieties of staple fibers through a tapered die. The two difference varieties of staple fibers have a different melting temperature.

Thus, the process temperature of GB '432 is set so as to melt the lower melting fibers to cause them to impregnate and coat the higher melting fibers. In other words, in order to adhere the higher melting temperature fibers, the lower melting fibers are sacrificed because they are formed into a melt that can impregnate and coat the higher melting fibers. In a "fusion" process however, the outer surfaces of adjacent fibers are melted and fused one to another. Hence not fiber sacrifice occurs.

Thus, GB '432 does not teach that it is possible to fuse **staple** fiber surfaces one to another as alleged by the Examiner. Thus, an ordinarily skilled person would be provided with no motivation to substitute staple fibers of any variety with the monofilaments disclosed in Cook. Moreover, the higher melting fibers in the GB '432 are NOMEX® and KEVLAR® brand fibers which do not melt at all, so they could never be used to form a fused fiber structure.

Withdrawal of the rejection advanced against claims 1-3 and 5-9 under 35 USC §103 is therefore in order.

The applied JP '646 publication fails to cure the deficiencies of Cook and GB '432 as discussed above. Specifically, even assuming art knowledge that stretch breakage of a monofilament may be employed to form staple fibers, there would still be no suggestion or motivation in the art to employ such staple fibers in the process of Cook. Withdrawal of the rejection under 35 USC §103(a) based on the combination of Cook, GB '432 and the JP '646 publication is therefore also in order.

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3. Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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